

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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June 24, 2003

FROM: **JAMES B. HACKLEMAN**, Chairman
Law and Justice Group

SUBJECT: **AMEND AGREEMENTS FOR ALTERNATIVE DISPUTE RESOLUTION SERVICES**

RECOMMENDATION:

1. Approve Amendment No. 1 to Agreement No. 02-694 with Inland Valleys Justice Center (IVJC) in the amount of \$528,000 from \$423,000 to \$951,000 to extend the agreement period one year from July 1, 2003 through June 30, 2004, for continuation of dispute resolution services for cases filed in the Superior Court within the County of San Bernardino.
2. Approve Amendment No. 1 to Agreement No. 02-695 with Inland Fair Housing and Mediation Board (IFHMB) in the amount of \$130,000 from \$130,000 to \$260,000 to extend the agreement period one year from July 1, 2003 through June 30, 2004, for continuation of dispute resolution services for cases filed in the Superior Court within the County of San Bernardino.
3. Approve Amendment No. 1 to Agreement No. 02-696 with Superior Court of California, County of San Bernardino, Small Claims Advisory Services and Center for Dispute Resolution (CDR) in the amount of \$75,000 from \$25,000 to \$100,000 to extend the agreement period one year from July 1, 2003 through June 30, 2004, for continuation of dispute resolution services for cases filed in the Superior Court within the County of San Bernardino.

BACKGROUND INFORMATION: The Dispute Resolution Programs Act of 1986 authorized counties to fund alternative dispute resolution programs from designated court civil filing fees. The County presently receives a fee of \$8 per civil filing; and as a result of a request for proposal the Board of Supervisors contracted on June 25, 2002 with Inland Valleys Justice Center (IVJC), Inland Fair Housing and Mediation Board (IFHMB) and Small Claims Advisory Service/Center for Dispute Resolution (CDR). These contracts will expire June 30, 2003.

All three participants provide dispute resolution services to furnish a fair and reasonable alternative to the formal litigation system in the California Superior Court in and for the County of San Bernardino. Judges assign cases to these vendors based upon case type, and for Small Claims Advisory Service, the assignments will also be limited to the San Bernardino Central Court.

The contract with IVJC is for complex civil matters, settlement conferences and family law matters. In the period July 1, 2002 through April 30, 2003, IVJC has resolved 312 issues at settlement conferences, 413 family law matters, and 207 complex civil cases. A total number of 932 cases were resolved during the period resulting in an average cost of \$303 per resolved case. Over the past fiscal year, the court has tripled the number of family law matters referred for mediation at the Rancho Cucamonga Court, and is

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expected to expand the services in Victorville. The IVJC contract has been increased to address the Court's growth in these areas. Under this agreement, IVJC will mediate approximately 90 settlement conferences each month, an unspecified number of complex civil cases, and monetary matters in approximately 800 family law cases in Rancho Cucamonga Court, 500 family law cases in Central court, and 240 in the Victorville court. The cost of this amendment for 2003/04 is not to exceed \$528,000.

The contract with IFHMB is for small claims and unlawful detainer actions. During the period of July 1, 2002 through April 30, 2003, IFHMB resolved 1,230 such cases at an average cost of \$78 per resolved case. The amended agreement with the IFHMB requires the contractor to maintain the current level of service with no increase in cost. The cost of this amendment for 2003/04 is not to exceed \$130,000.

The contract with CDR is limited to small claims and unlawful detainer actions at the San Bernardino Central Court. The CDR reported 150 such cases resolved in the first six months of the fiscal year at an average cost of \$83 per resolved case. The current agreement requires CDR to provide mediation services in 20 cases per month. The center has exceeded that requirement by providing services in an average of 33 cases per month. The amendment increases the number of cases the contractor shall mediate to 60. This contract is limited to services provided to the San Bernardino Central Court. The cost of this amendment for 2003/04 is not to exceed \$75,000.

REVIEW BY OTHERS: This item has been reviewed and approved by the County Counsel (Rex Hinesley, Chief Deputy County Counsel) on May 20, 2003; District Attorney (Jane Allen, Chief of Administration) on June 11, 2003; Superior Court (Tressa Kentner, Court Executive Officer) on June 16, 2003; and the County Administrative Office (Marcia Faulkner, Administrative Analyst) on June 17, 2003.

FINANCIAL IMPACT: The total annual cost for these services for 2003/04 is \$733,000. The cost of these agreements is financed by that portion of civil filing fees designated for this use and collected by the Court. No additional county local cost will be requested.

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item and concurs with the department's proposal and recommends this action because the revenue derived from the portion of civil filing fees fully funds this program and is not in jeopardy.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: James B. Hackleman, Chairman, Law & Justice Group (387-6610)

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